

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In re Application of

CC Docket No. 94-11

Telephone and Data
Systems, Inc.

File No. 10209-CL-P-715-B-88

For facilities in the Domestic
Public Cellular Telecommunications
Radio Service on Frequency Block B,
in Market 715, Wisconsin 8 (Vernon),
Rural Service Area

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: Presiding Administrative Law Judge

MOTION FOR LEAVE TO INTERVENE

Townes Telecommunications, Inc. (TTI), by its attorneys, pursuant to the Commission's February 1, 1994 Memorandum Opinion and Order and Hearing Designation Order, 59 Fed. Reg. 7673 (Feb. 16, 1994), and pursuant to §1.223(b) of the Commission's Rules, hereby moves for leave to intervene in the captioned proceeding. In support whereof, the following is respectfully submitted:

1) TTI is a holding company which owns and operates several wireline local exchange companies in Arkansas, Colorado, Kansas, Missouri, and Texas. TTI, through its affiliated companies, owns significant cellular interests in various cellular markets.

2) Currently, TTI, directly and through subsidiary companies, is a partner and/or joint venturer with Telephone and Data Systems, Inc. (TDS), and/or its affiliated companies, in various cellular markets. In various cellular markets in which TTI, has or will have ownership interests, TDS or its affiliated companies are in a position to acquire controlling interest. Thus, TTI has a direct and concrete economic interest in this proceeding and the Commis-

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sion's decision in the captioned case could have a significant impact upon TTI.

3) Moreover, TTI is a plaintiff in a civil suit filed in Texas against TDS and its affiliated companies. The suit concerns various contractual issues which relate to the manner in which TDS and its affiliated companies conduct business. TDS acts as system manager in at least one of the cellular markets in which a TTI subsidiary is already a participant.¹ To the extent that TDS's, and its affiliated companies', manner of conducting business is relevant to the captioned proceeding, TTI will be able to provide useful information.

4) Furthermore, because of the pending civil suit, TTI's participation at the hearing will, to some extent, foster candid responses from TDS and its affiliated companies concerning the manner in which TDS and its affiliated companies conduct their cellular operations.

WHEREFORE, in view of the information presented herein, it is respectfully submitted that a grant of the instant Motion for Leave to Intervene would serve the public interest.

Respectfully submitted,
TOWNES TELECOMMUNICATIONS, INC.


Timothy E. Welch

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March 15, 1994

Its Attorney

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Our reading of the Memorandum Opinion and Order and Hearing Designation Order indicates that TDS's and USCC's view their role in the La Star case as minority interest holders with system management company responsibilities but that the majority owner makes all policy decisions.

CERTIFICATION

I hereby certify under penalties of perjury that I am an officer of Townes Telecommunications, Inc., that I have reviewed the forgoing Motion for Leave to Intervene and that the facts stated therein, except for those of which official notice may be taken, are true and correct to the best of knowledge, information and belief.

Johnny Ross

March 15, 1994

[The original certification page will be filed promptly upon receipt by counsel.]

CERTIFICATE OF SERVICE

I hereby certify that I have this 15th day of March, 1994 sent a copy of the foregoing Motion for Leave to Intervene by first class United States mail, postage prepaid, to the following:

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